

Ordinance No.:
Zoning Text Amendment No.: 08-10
Concerning: Fenton Village Overlay Zone –
Hotel Height
Draft No. & Date: 1- 4/22/08
Introduced: March 6, 2008
Public Hearing: June 17, 2008
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Ervin and Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow additional building height to accommodate hotels in mixed-use optional method of development projects in the Fenton Village Overlay Zone; and
- generally amend allowable building heights in the Fenton Village Overlay Zone.

By amending the following sections of the Montgomery County Zoning Ordinance:

Division 59-C-18 OVERLAY ZONES
Section 59-C-18.192 Fenton Village Overlay Zone - Regulations

<p>EXPLANATION: Boldface indicates a heading or a defined term. <u>Underlining</u> indicates text that is added to existing laws by the original text amendment. [Single boldface brackets] indicate text that is deleted from existing law by the original text amendment. <u>Double underlining</u> indicates text that is added to the text amendment by amendment. [[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment. * * *indicates existing law unaffected by the text amendment.</p>

Ordinance

The County Council for Montgomery County, Maryland sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Section 1. Division 59-C-18 is amended as follows:

59-C-18. OVERLAY ZONES.

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59-C-18.19. Fenton Village Overlay Zone.

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59-C-18.192. Regulations.

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(1) Building height in the Overlay Zone:

(A) along the east side of Georgia Avenue must not exceed 90 feet; along the west side of Fenton Street must not exceed 60 feet; within the area between Georgia Avenue and Fenton Street must not exceed 60 feet but may increase up to 90 feet for projects that are at least 33% residential and where the additional height is placed closest to Georgia Avenue and decreases as you move east to Fenton Street; and

(B) along the east side of Fenton Street must not exceed 45 feet for all uses, except [housing, which must not exceed 60 feet] the building height must not exceed 60 feet for:

(i) any residential use; or

(ii) any mixed use optional method of development project that includes a hotel notwithstanding any building height limits recommended in the sector plan.

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Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

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29 This is a correct copy of Council action.

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35 Linda M. Lauer, Clerk of the Council